

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

IN RE: : **CHAPTER 13**
NANCY NICHOLSON : **CASE NO 17-31725**
: **JUDGE HUMPHREY**
: **OBJECTION HOME POINT
FINANCIAL CORP NOTICE OF
PAYMENT CHANGE**

Now comes the Debtor, Nancy Nicholson, by and through counsel, to hereby respectfully request this Honorable Court deny Home Point Financial Corporation Notice of payment Change as the Escrow provisions appear to be unclear and to prejudice debtor's mortgage balance. Specifically the Notice states that a \$12,443.06 surplus is being withheld by Home Point Financial Corporation. Debtor states that there is no indication that this balance is being applied to escrow or to principal and Creditor Home Point Financial Corporation appears to be holding funds in some manner. The Debtor disagrees with the escrow analysis of. Debtor will agree to any increase in payment to cover the arrearage however states the Home Point increase is due to illegal late fees, and retention of escrow surplus. A hearing is requested on this objection so that the Chapter 13 plan may continue.

Wherefore, the Debtor prays the Notice of Increase is not granted and that an accounting of surplus funds be ordered.

Respectfully submitted,

/s/ Jessica Goldberger, Esq
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CERTIFICATE OF SERVICE

I certify that on August 29,, 2018, a true and correct copy of the Objection to the Notice of Payment change was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Asst US Trustee (Day)
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And by regular U.S. mail, postage prepaid, on:8/29/18

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